NOV. 3. 2004 4:47PM LADASPARRY3239344145

RECEIVED CENTRAL FAX CENTER

NOV 0 3 2004

tee Sheet

PATENT
CE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

David S. Sumida et al.

Examiner: Sung H. Pak

Serial No.:

09/894,347

Art Unit: 2874

Filed:

June 28, 2001

Our Ref: B-4034 618348-2

Date:

October 28, 2004

For:

"GUIDED MODE LASER

APPARATUS WITH IMPROVED CLADDING STRUCTURE AND A

METHOD OF FABRICATING

THEREOF'

Re: Appeal to the Board of Appeals

BRIEF ON APPEAL

Mail Stop Appeal Brief - Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir.

This is an appeal from the Final rejection, dated March 3, 2004, for the above identified patent application. The Applicant submits that this Appeal Brief is being timely filed, since the notice of Appeal was filed on September 1, 2004.

REAL PARTY IN INTEREST

The present application has been assigned to HRL Laboratories, LLC of Malibu, CA.

STATUS OF CLAIMS

Claims 1 - 26 are the subject of this Appeal and are reproduced in the accompanying appendix.

11/05/2004 ADAVID

00000002 120415 09894347

01 FC:1402

340.00 DA